

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(d))

Docket No.
17031

In Re Application Of: Nina Rautonen, et al.

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/663,562	September 16, 2003	Layla D. Bland	23389	1623	2985

Title: NOVEL USE OF CARBOHYDRATES AND COMPOSITIONS

Address to:
Commissioner for Patents

The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(c), and on or before payment of the issue fee, and is accompanied by the Statement as specified in 37 CFR 1.97(e) and the fee set forth in 37 CFR 1.17(p).

- ☐ A check in the amount of _____ is attached.
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Dated: October 29, 2009

Peter I. Bernstein
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CC:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Nina Rautonen et al.	Examiner:	Layla D. Bland
Serial No:	10/663,562	Art Unit:	1623
Filed:	September 16, 2003	Docket:	17031
For:	NOVEL USE OF CARBOHYDRATES AND COMPOSITIONS	Dated:	October 29, 2009

Confirmation No.: 2985

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 C.F.R §§1.97 and 1.98, it is requested that the following references, which are also listed on the attached Form PTO-1449, be made of record in the above-identified case.

1. Japanese Patent Application Laid-open Publication No. 2000-143519 published May 23, 2000 together with an English language abstract;
2. Japanese Patent Application Laid-open Publication No. 10-179025 published July 7, 1998 together with an English language abstract;

CERTIFICATE OF ELECTRONIC FILING

I hereby certify that this correspondence is being deposited with the United States Patent & Trademark Office via Electronic Filing through the United States Patent and Trademark Office e-business website on the date set forth below.

Dated: October 29, 2009



Peter I. Bernstein

3. Japanese Patent Application Laid-open Publication No. Sho 62-220169 published September 28, 1987 together with an English language abstract;
4. Japanese Patent Application Laid-open Publication No. 2003-559496 (Publication No. 2005-523250) corresponding to U.S. Patent Application Publication No. 2003-0157146 published August 21, 2003 to Rautonen et al.;
5. Grossklaus, R. et al., Risk-Benefit Analyses of New Sugar Substitutes: 2. The Formation of Short-Chain Fatty Acids in the Ceca of Non-Adapted and Adapted Juvenile Rats, Nutrition Research (New York, NY, United States), 1984, Vol. 4., No. 3, p. 459-468; and
6. Hara, Physiological Effects of Short-Chain Fatty Acid Produced from Prebiotics in the Colon, Journal of Intestinal Bacteriology, 2002, Vol. 16, p. 35-42.

The references listed above were cited in an Official Action mailed August 5, 2009 from the Japanese Patent Office. Please note that the other references cited in the Office Action were previously submitted in applicants' Information Disclosure Statement dated November 13, 2003 and November 8, 2006. In addition, the English language abstract of Japanese Patent Application Laid-open Publication No. 2072842 was previously submitted on November 13, 2003. A full copy of the publication is now enclosed for the convenience of the Examiner. Applicants are submitting a copy of the above references, together with a translation of the Examiner's comments regarding all of the references from the Official Action. The relevance of the references is described in the Official Action.

In compliance with the requirements of 37 C.F.R. §1.98(a)(3), as a concise statement of relevance, as it is presently understood by the individual designated in 37 C.F.R. §1.56(c) most knowledgeable about the content of the information, the undersigned attorney of record submits a translation of portions of an official action by a foreign examiner in which the references were cited. The relevance to the pending U.S. patent application is that the references were cited in a foreign patent application on the same subject matter. However, no independent

analysis of the references, the accuracy of the statement of the foreign examiner or the claims of the foreign application under the laws of that country or the United States relative to the subject matter claimed in the present application has been made; the present understanding of the contents thereof by the undersigned being based on the translation of the foreign examiner's comments submitted herewith.

The undersigned attorney hereby states that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

The requisite \$180.00 official fee pursuant to § 1.17(p) has been charged to Deposit Account 19-1013/SSMP.

Respectfully submitted,



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